

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

Crl.Rev.Pet.No. 4449 of 2007()

CRA.239/2006 of ADDL.SESIONS COURT, (ADHOC), ERNAKULAM
CC.521/2003 of JUDL. MAGISTRATE OF FIRST CLASS-I, KOCHI
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REVN. PETITIONER: REVISION PETITIONER/ACCUSED

VENUGOPAL.P.,S/O. KRISHAN MENON
AGED 40,PROPRIETOR, M/S.FITTINGS INDIA AGENCIES
ERİYAT HOUSE, 22/XXVIII, KANNANKULANGARA
TRIPUNITHURA, ERNAKULAM 682 301.

BY ADV. SRI.R.MURALEEKRISHNAN

RESPONDENTS: COMPLAINANT

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1. M/S.SRIPATHY CHIT AND FINANCE PVT.LTD.
REP. BY ITS MANAGING DIRECTOR
ARUNDHATHI BUILDINGS, P.O. LINK ROAD
KOCHI-682 031.
 2. STATE OF KERALA REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY ADV. SRI.K.B.RAMANAND
PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 12/12/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.
* * * * *
Crl.R.P. No. 4449 of 2007
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Dated: 12-12-2007

ORDER

The accused in C.C. No. 521 of 2003 on the **file** of the J.F.C.M. I, Kochi for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 13166 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

**V. RAMKUMAR,
(JUDGE)**

ani.

